
STATUTORY INSTRUMENTS

2014 No. 255

The Environmental Permitting (England and Wales) (Amendment) Regulations 2014

Regulation 32 (discharge of functions)

8. In regulation 32(1), for paragraphs (1), (1A) and (1B), substitute—

“(1) Subject to paragraphs (1A) to (4) and paragraph 11A of Part 2 of Schedule 23—

- (a) functions in relation to a regulated facility that is or will be operated in England are exercisable by the Agency;
- (b) functions in relation to a regulated facility that is or will be operated in Wales are exercisable by the NRBW.

(1A) Subject to paragraph (1C), in relation to waste mobile plant—

- (a) if the principal place of business of the operator is in England, functions are exercisable by the Agency;
- (b) if the principal place of business of the operator is in Wales, functions are exercisable by the NRBW;
- (c) if the principal place of business of the operator is not in England or in Wales, functions are exercisable by—
 - (i) the appropriate agency that granted the environmental permit authorising the operation of that waste mobile plant; or
 - (ii) if no permit has been granted, the appropriate agency in whose area waste mobile plant is first intended to be operated.

(1B) Paragraph (1C) applies—

- (a) where by virtue of paragraph (1A) functions in relation to waste mobile plant are exercisable by the Agency, and that waste mobile plant is operated at a site in Wales, or
- (b) where by virtue of paragraph (1A) functions in relation to waste mobile plant are exercisable by the NRBW, and that waste mobile plant is operated at a site in England.

(1C) Where this paragraph applies, functions under regulations 36, 37 and 57 and paragraph 9 of Schedule 22 are exercisable in relation to the waste mobile plant referred to in paragraph (1B) by both the Agency and the NRBW.”